

Ex. 1

Page 1

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK
4 Case No. 20-cv-8924 (CM) (GWG)

-----x
5 This proceeding is related to:
6 Case No. 21-cv-00533 (CM) ((GWG))

7 In re: New York City Policing During
8 Summer Demonstrations,
9 ADAMA SOW, DAVID JAKLEVIC, ALEXANDRA DE
10 MUCHA PINO, OSCAR RIOS, BARBARA ROSS,
11 MATTHEW BREDDER, SABRINA ZURKUHLEN, MARIA
12 SALAZAR, DARA PLUCHINO, and SAVITRI
13 DURKEE, on behalf of themselves and others
14 similarly situated,

15 Plaintiffs,

16 against

17 CITY OF NEW YORK; MAYOR BILL DE BLASIO;
18 NEW YORK CITY POLICE DEPARTMENT
19 COMMISSIONER DERMOT SHEA; NEW YORK CITY
20 POLICE DEPARTMENT CHIEF OF DEPARTMENT
21 TERENCE MONAHAN; NYPD DETECTIVE EDWARD
22 CARRASCO (SHIELD NO. 1567); NYPD OFFICER
23 TALHA AHMAD (SHIELD NO. 21358); NYPD
24 OFFICER KEVIN AGRO (SHIELD NO. 8054); and
25 NYPD OFFICERS JOHN and JANE DOES #1 - 40,
Defendants.

-----x
26 June 20, 2023

27 10:00 a.m.

28 Remote video-teleconference
29 deposition via Zoom of CHIEF STEPHEN
30 HUGHES, pursuant to notice, before Jineen
31 Pavesi, a Registered Professional
32 Reporter, Registered Merit Reporter,
33 Certified Realtime Reporter and Notary
34 Public of the State of New York.

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2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK
4 Case No. 20-cv-8924 (CM) (GWG)

5 -----x

6 In re: New York City Policing during
7 Summer 2020 Demonstrations

8 -----

9 This filing is related to:

10 ALL CASES

11 -----x

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2 A P P E A R A N C E S :

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LETITIA JAMES

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the State of New York v. City of New
York, No. 21-cv-322

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17

De Blasio, No. 20-cv-8924

18

BY: DANIEL R. LAMBRIGHT, ESQ.

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NYC LAW DEPARTMENT

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CORPORATION COUNSEL OF THE CITY OF NEW

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Attorneys for Defendants DeBlasio,

25

Shea and Monahan and witness

BY: TOBIAS ZIMMERMAN, ESQ.

tzimmerm@law.nyc.gov

26

ALSO PRESENT:

27

JOSH LEVIN, ESQ., NYPD LEGAL

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KEVIN GALLAGHER, Videographer

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2 S T I P U L A T I O N S
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5 IT IS HEREBY STIPULATED AND AGREED by
6 and between the Attorneys for the
7 respective parties hereto that filing and
8 sealing be and the same are hereby waived.

9

10 IT IS FURTHER STIPULATED AND AGREED
11 that all objections except as to the form
12 of the question, shall be reserved to the
13 time of the trial.

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15 IT IS FURTHER STIPULATED AND AGREED
16 that the within examination may be signed
17 and sworn to before any notary public with
18 the same force and effect as though signed
19 and sworn to before this Court.

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2 THE VIDEO TECHNICIAN: We're now
3 going on the record at approximately 9:59
4 a.m., today's date is June 20, 2023.

5 This is Media Unit No. 1 of the
6 video recorded deposition of Chief Stephen
7 Hughes taken by the plaintiff in the
8 matter of New York City Policing During
9 Summer 2020 Demonstrations.

10 It is filed in the Supreme
11 Court of the State of New York, County of
12 Suffolk, Case No. 20-CV-8924 (KM) (GWG).

13 This deposition is being
14 conducted remotely using virtual Zoom
15 technology.

16 My name is Kevin Gallagher, I
17 am the videographer; the court reporter is
18 Jineen Pavesi; we're both from the firm of
19 Veritext Legal Solutions.

20 The attorneys present in the
21 deposition and participating will now
22 identify themselves for the record.

23 MS. PRAKASH: Good morning,
24 this is Swati Prakash, I am with the New
25 York State Office of the Attorney General

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2 on behalf of plaintiffs People of the
3 State of New York.

4 Good morning, chief, how are
5 you today?

6 THE WITNESS: Morning.

7 MR. ZIMMERMAN: This is Tobias
8 Zimmerman, New York City Law Department on
9 behalf of the City of New York and the
10 defendants.

11 We need to correct the case,
12 the court that this is in.

13 THE VIDEO TECHNICIAN: I think
14 there was two, what is it, sir?

15 MR. ZIMMERMAN: It's in the
16 United States District Court for the
17 Southern District of New York.

18 THE VIDEO TECHNICIAN: My
19 apologies.

20 Anybody else identifying
21 themselves?

22 MR. LEVIN: My name is Josh
23 Levin, L-E-V-I-N, on behalf of New York
24 City Police Department.

25 THE VIDEO TECHNICIAN: Now our

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2 court reporter will swear the witness and
3 we can proceed.

4 S T E P H E N H U G H E S ,
5 having first been duly sworn by a Notary
6 Public of the State of New York, was
7 examined and testified as follows:

8 EXAMINATION BY

9 MS . PRAKASH :

10 Q . Good morning, chief.

11 Could you please state your
12 full name for the record.

13 A . Stephen J. Hughes ,

14 S-T-E-P-H-E-N , J as in John , Hughes ,
15 H-U-G-H-E-S .

16 Q . What is your present business
17 address ?

18 A . Well , I am retired now , so no
19 longer working .

20 Q . As I noted at the top of this
21 call , I am counsel for the plaintiffs , one
22 of the set of plaintiffs in the
23 consolidated litigation , I represent the
24 People of the State of New York and I will
25 ask you a series of questions today in

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1 HUGHES

2 your personal capacity.

3 There are other attorneys who
4 represent other plaintiffs in this matter
5 and they will be here in an observing
6 capacity, you may see them in the gallery.

7 Do you understand today that
8 you have taken an oath to tell the truth?

9 A. Yes, I have.

10 Q. And do you understand that even
11 though we're on video conference, that
12 oath has the same effect as if you were
13 testifying in court?

14 A. Yes.

15 Q. Is there any reason you cannot
16 testify fully and accurately today?

17 A. No.

18 Q. You were deposed previously in
19 this litigation as what we call a 30(b)(6)
20 witness, correct?

21 A. Yes.

22 Q. Meaning that you were
23 representing the New York City Police
24 Department in that capacity, is that
25 right?

HUGHES

A . Yes .

Q. Have you been deposed in
other -- have you sat through any other
depositions?

A. Just recently, about two weeks ago, in another civil litigation on an arrest that was made during Pride Weekend 2021, I believe.

Q. So the same rules apply that you probably went through there and that we went through last month for the 30(b)(6) deposition, but just to run through very briefly, I am just going to ask you to let me finish my question before you begin speaking so that the court reporter can get everything down.

A. Yes.

Q. You may hear your attorney objecting; unless he instructs you not to answer, you can go ahead and respond to the question.

Understand?

Understand.

25 O. I mentioned your attorney; who

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1 HUGHES

2 that conversation?

3 A. No, there wasn't.

4 Q. Again, you probably remember
5 this from your last deposition, but any
6 question that I ask you today will never
7 call for you to divulge any conversation
8 or substance of any conversation that
9 you've had with Mr. Zimmerman.

10 So if you are unsure, you can
11 pause and ask to check with him to
12 confirm.

13 Chief, what is your highest
14 level of education?

15 A. I have a master's degree from
16 John Jay College of Criminal Justice in
17 criminal justice.

18 Q. We just discussed that you
19 retired from NYPD in May 2022.

20 When did you begin working with
21 NYPD?

22 A. January 26, 1981.

23 Q. Had you received your master's
24 degree prior to then or subsequent to
25 1981?

HUGHES

A. I received my master's degree in February of 2008.

Q. What was your ranking command at the time of your retirement?

A. I was an assistant chief, which is a two star rank, and I was the commanding officer of Patrol Borough Manhattan South.

Q. Prior to that what was your command?

A. I was one star, deputy chief, and I was the commanding officer of the strategic response group.

Q. What were the dates that you were in that role?

A. Roughly January of 2015 until January of 2018 I was the commanding officer of the strategic response group, SRG.

Q. And so approximately when in
2018 did you leave that position and move
to PBMS?

A. January 2018 I was promoted to two star assistant chief and I was

HUGHES
assigned as the commanding officer of
Patrol Borough Manhattan South until my
retirement on May 31, 2022, roughly a
little over four years.

6 Q. I should have noted actually
7 earlier that in terms of definitions, I
8 will be referring to the term protests
9 throughout today's deposition; these are
10 the protests that are the subject of this
11 litigation and it sounds like you've
12 already reviewed Amended Schedule A and so
13 you're familiar with the protests I'm
14 referring to, the general time period is
15 late May of 2020 through February 12,
16 2021.

17 Is that understood?

18 A. Yes.

19 Q. During that protest period, you
20 were in the rank and command that you were
21 in when you retired, which is to say
22 deputy chief and commanding officer of
23 Patrol Borough Manhattan South, is that
24 right?

25 | A. Assistant chief, two star rank,

1 HUGHES
2 as the commanding officer of Patrol
3 Borough Manhattan South.

4 Q. Thank you for that
5 clarification.

10 A. New York City has five
11 boroughs, since it is so large we have
12 eight patrol boroughs, eight police
13 boroughs, so Manhattan being so large, it
14 is split into two police commands,
15 Manhattan South and Manhattan North, and
16 59th Street being the dividing line.

17 Manhattan South covers 59th
18 down to Battery Park, from the East River
19 to the Hudson River, there is ten police
20 precincts inside that command with roughly
21 2,500 uniform police officers.

22 I was the commanding officer of
23 Manhattan South.

24 Q. What were your responsibilities
25 in that role?

HUGHES

A. It is a large responsibility, it is about public safety and keeping New Yorkers safe.

I was in charge of the ten
precincts and any police-related incidents
that were happening in that borough I'm
responsible for, overall daily operation
of the patrol boroughs in the precincts to
make sure they're all functioning
properly.

12 Q. Given the size and scope of
13 that patrol borough, Manhattan South, and
14 the fact you said there was 2,500
15 uniformed police officers, correct?

16 A. Correct.

17 Q. With whom did you interact with
18 on a regular basis as far as were there
19 individuals reporting directly to you?

20 A. Sure, I have a patrol borough
21 staff, I had three one star chiefs, they
22 are called executive officers, that's one
23 rank below me.

24 I had roughly four inspectors
25 and then I had about two deputy inspectors

1 HUGHES

2 and then I had a support staff of roughly
3 maybe three lieutenants, five sergeants
4 and probably about 60 police officers that
5 form my office staff, Patrol Borough
6 Manhattan South.

7 And then there were ten
8 commanding officers of each precinct and
9 each precinct for the most part had one
10 executive officer, another captain, in a
11 rank.

12 So that was pretty much my
13 executive command, I call executives, the
14 rank of captain or above.

15 But roughly I would say I had
16 about 30 executives working for me in
17 Manhattan South, ten being precinct
18 commanding officers who I interacted
19 pretty much on a daily basis.

20 Q. And the other 20 being
21 executives who were within the PBMS office
22 itself?

23 A. Right, I had ten in my office
24 roughly and then there were ten other
25 executives in each of the precincts, that

HUGHES

2 if the commanding officer was off I would
3 interact with the executive officer who
4 would be in charge.

5 So we always had somebody in
6 charge of a precinct and we're a 24/7
7 operation, so I would designate on each
8 shift a captain and an inspector that
9 would be in charge of something if an
10 emergency occurred, they would be required
11 to respond and that would be my
12 communication point at the scene with that
13 duty captain or duty inspector, as we
14 called them, if the CO or the XO wasn't
15 present.

Q. Thank you.

17 Did you have routine meetings
18 with any set of that executive staff you
19 just described?

20 A. Yes, generally we had a monthly
21 meeting, but because of COVID we stopped
22 having in-person meetings and we went to a
23 Zoom or Team type meetings and we had
24 conference calls.

25 We had our own conference

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2 C E R T I F I C A T I O N

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6 I, Jineen Pavesi, a Registered
7 Professional Reporter, Registered Merit
8 Reporter, Certified Realtime Reporter and
9 a Notary Public, do hereby certify that
10 the foregoing witness, STEPHEN HUGHES, was
11 duly sworn on the date indicated, and that
12 the foregoing is a true and accurate
13 transcription of my stenographic notes.

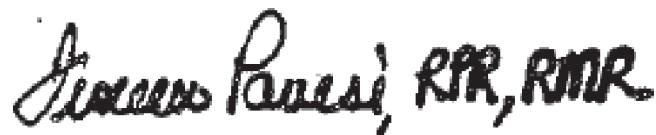
14 I further certify that I am not employed
15 by nor related to any party to this
16 action.

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Jineen Pavesi, RPR, RMR

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JINEEN PAVESI, RPR, RMR, CRR

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